IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.30701-M of 2006

DATE OF DECISION:06.03.2007

Salwinder Singh @ Shinda .....Petitioner

Versus

State of Punjab .....Respondent

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri Gurnam Singh, Advocate
for the petitioner.

Shri N.S. Gill, AAG, Punjab.

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The petitioner has filed this petition under Section 482 Cr.P.C. for quashing of an FIR No. 177 dated 10.10.2005 under Sections 15,61,85 of NDPS Act, registered at Police Station Sultanpur Lodhi, District Kapurthala.

I have heard counsel for the parties and gone through the contents of the FIR as well as the reply filed by respondent-State.

In the reply, it has been stated that 26 bags of poppy husk were recovered from the spot and the petitioner ran away from the spot and subsequently he was declared proclaimed offender.

Now, this petition has been filed by the petitioner stating that he has been falsely implicated in this case. The plea raised by the petitioner is disputed question of fact, which cannot be gone into at this stage.

In view of the alleged recovery and the fact that the petitioner ran away from the spot, I do not find any ground to quash the aforesaid FIR only on the ground that the petitioner has been falsely implicated in this case.

Dismissed.

March 06, 2007 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**